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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/636,359	08/11/2000	Robert E. Reuter	000519	7892
23464	7590	07/27/2004	EXAMINER	
BUCHANAN INGERSOLL, P.C. ONE OXFORD CENTRE, 301 GRANT STREET 20TH FLOOR PITTSBURGH, PA 15219			NGUYEN, CHI Q	
			ART UNIT	PAPER NUMBER
			3635	

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Please find below and/or attached an Office communication concerning this application or proceeding.



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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/636,359
Filing Date: August 11, 2000
Appellant(s): REUTER ET AL.

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Robert E. Reuter
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 1/8/04.

(1) ***Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

(2) ***Related Appeals and Interferences***

Art Unit: 3635

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

The rejection of claims 1, 2, 6-13, 15-16, 52, and 54 stand or fall together because appellant's brief does not include a statement that this grouping of claims does not stand or fall together and reasons in support thereof. See 37 CFR 1.192(c)(7).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

US 4,631,881

Charman

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 6-13, 15-16, and 52-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Charman (US 4,631,881).

Charman shows an office screen and partition comprising a rigid frame assembly 17, 18, free stands 14, a plurality of top, intermediate, and bottom brackets 40 (figs. 3 and 5) mounting on the rigid frames 17, 18, a pair of top 19, intermediate 20, bottom 21 facing panels assembly having mounting means on the edged of the facing panels (fig. 7), an unobstructed cavity is defined between the inward facing back surface of the panels and the outward facing exterior surfaces of the extension posts 15, 16 which upper spaces generally are defined along the vertical length of each respective extension posts 15, 16. The unobstructed cavity, therefore, permit passage 80 of the cabling as well as the horizontal rails 24, 25 horizontally across the extension posts 15, 16 and along the entire length of the length of the wall panel system, and a crown member 95 on the top of the panel assembly (figs. 1-7).

(11) Response to Argument

In response to the Applicant's argument that "Charman does not show an unobstructed cavity between the facing panels and the supports. Charman shows that the cabling can only move vertically at the end posts. Also, as shown, the edges 72 of

Art Unit: 3635

the panels in Charman about the end post 15, 16. This result in the wiring becoming crimped when the panel is tilted". The examiner does not agree with the applicant's argument because as shown in figure 7, there are three pair of panels, a top 19, an intermediate 20, and a bottom 21 pair having connecting means and are mounted on posts or frames 17, 24, 25, and 18, respectively. Two unobstructed cavities are being formed between the rigid frame and the panels; which are a top unobstructed cavity between the top frame 17 and the intermediate frame 24 and a bottom unobstructed cavity between the intermediate frame 24 and the bottom frame 18. It should be noted that the wiring is not claimed. The central portion of Charman's structure provides an unobstructed cavity and meets the structural requirements of the claim. Clearly wiring could be arranged in this cavity.

(12) Examiner's Answer Conclusion

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Application/Control Number: 09/636,359

Page 6

Art Unit: 3635

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CQN

July 22, 2004

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